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37 C.F.R. § 1.8

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October 26, 2004

Date


Shelley P.M. Fussey

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip E. Thorpe and Rolf A. Brekken

Serial No.: 10/738,404

Filing Date: December 17, 2003

For: ANTI-VEGF ANTIBODY PRODRUG
METHODS (As Amended)

Group Art Unit: 1642

Examiner: Yaen, C.

Atty. Dkt. No.: 3999.002587

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that the present Supplemental Information Disclosure Statement be entered and the documents listed on the enclosed Form PTO-1449 be considered by the Examiner and made of record in the present case. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits and hence is timely filed in accordance with 37 C.F.R. § 1.97(b). Therefore, no fees should be due in connection herewith. Even if an Official Action had been issued in the last few days, no fees would be required in light of the following information.

In accordance with 37 C.F.R. § 1.97(e)(2), it is hereby certified that the documents listed on the accompanying Form PTO-1449 were not cited in a communication from a foreign patent office in a counterpart foreign application. The listed documents were each cited in an Official Action on the merits in a co-pending application of one of the present inventors, Serial No. 09/998,833 (Attorney Docket No. 4001.002299), mailed from the P.T.O. on September 08, 2004, less than three months before the filing of the present statement, and could not have been submitted before receipt.

No fees should be due in connection with the filing of this Supplemental Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason, the Examiner should contact the undersigned representative to discuss deduction from Williams, Morgan & Amerson Deposit Account No. 50-0786/3999.002587.

Respectfully submitted,
Williams, Morgan & Amerson, P.C.
Customer No. 23720



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Form PTO-1449 (modified)

Atty. Docket No.

3999.002587

Serial No.

10/738,404

List of Patents and Publications for Applicant's
INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)

Applicant
Thorpe and Brekken

Filing Date:
December 17, 2003

Group:
1642

U.S. Patent Documents
See Page

Foreign Patent Documents
See Page

Other Art
See Page 1

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C162	Fishman <i>et al.</i> , "Autoimmunity and Cancer - Beneficial Relationships: A New Concept for the Production of Human Monoclonal Antibodies (Review)," <i>Int. J. Oncol.</i> , 10:901-904, 1997.
	C163	Tschmelitsch <i>et al.</i> , "Enhanced Antitumor Activity of Combination Radioimmunotherapy (¹³¹ I-Labeled Monoclonal Antibody A33) with chemotherapy (Fluorouracil)," <i>Cancer Res.</i> , 57:3181-3186, 1997.

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.